5792890/2022/VIG-I-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits - PR&RD Dept. -Hon'ble High Court orders in WP No 25303 of 2021, WP No. 21149 of 2021& 25804 of 2021 - Legal complications - Hon'ble High court issued notice in Form-I in CC No. 931 of 2022, CC No. 2187 of 2021& 934 of 2022 respectively to the Respondents - Initiation of disciplinary proceedings under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 against Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District, under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 - Article of Charges - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT

G.O.Rt.No.398 **Dated:23-04-2022**
Read

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ORDER:

It is proposed to hold an inquiry against Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District is informed that an enquiry will be held only in respectof those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules, 1991 or the orders /directions issued in pursuance of the said rules, the InquiringAuthority may hold the inquiry against him ex-parte, based on the material available on record.

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6. Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District is invited to Rule-24 of the APCS(Conduct)Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District
through the Engineer-in-Chief, PanchayatRaj, A.P., Vijayawada.
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada
(in duplicate with a request to serve and return the dated acknowledgement copy)
Copy to:
The PR & RD (Estt-I) Department.
SF/SC

// Forwarded :: By Order //

V. Surya Kumari
SECTION OFFICER

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ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI AKKINENI VENKATESWARA RAO, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NTR DISTRICT

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CHARGE:

That Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District has not taken any action to implement the orders of Hon'ble High Court of AP dated dt:2.11.2021 in WP No. 25303 of 2021 filed by Sri Vemulu Saideswara Rao, R/o. Tothacharla, Penuganchiprolu Mandal, Krishna District, on the orders of the Hon'ble High Court dt:23.09.2021 in WP No. 21149 of 2021 filed by Sri Katta Ramulu, R/o. Ramachandrapuram, Vastavai Mandal, Krishna Districtand also on the orders of Hon'ble High Court dt: 8.11.2021 in WP No. 25804 of 2021 filed by Sri Eluru Gopala Rao, R/o. Krishna Dist,. He has shown deliberate negligence for uploading bills, failed to pursue the matter with the concerned to resolve the problem arising therein, resulting in severe legal complications arising in issuing notices in Form-Iin CCNo. 931 of 2022, CC No. 2187 of 2022 & CC No. 934 of 2022 in above three WPs respectively to the Respondents by the Hon'ble High Court of AP.

Thus, Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Surya Kumar
SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI AKKINENI VENKATESWARA RAO, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NTR DISTRICT

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Basis:

Sri Vemulu Saideswara Rao, R/o. Tothacharla, Penuganchiprolu Mandal, Krishna District has filed WP No. 25303 of 2021 praying the Hon'ble High Court to release of his due amounts for the works done by him in the Department under MGNREGS. The Hon'ble High Court, vide their orders dt: 2.11.2021, while disposing the WP, has directed the respondents to clear the bills of the petitioner for the contract works executed by him and make payment forthwith.

2. In another WP No. 21149 of 2021 Sri Katta Ramulu, R/o. Krishna Dist,. has filed WP praying the High Court to issued direction to comply the FTOs and to clear the same and make payments to him. The Hon'ble High Court, vide their orders dt:23.09.2021 have directed the respondents to clear the bills of the petitioner.

3. Further, Sri Eluru Gopala Rao, R/o. Krishna District has filed WP No. 25804 of 2021 praying to issue necessary directions clear bills for the work executed by them. The Hon'ble High Court vide their orders dt: 8.11.2021 while disposing the above, have directed the respondents to clear the bills of the petitioner.

4. For not implementing the said orders of Hon'ble High Court of AP, the above three petitioners have approached the Hon'ble High Court and filed CC Nos. for non compliance of Hon'ble High Court. During the course of CCs, the Hon'ble High Court have issued notices in Form-I to the Respondents as follows :

1. Notice in Form-I issued by the Hon'ble High Court to the Respondents in CC No. 931 of 2022 in WP No. 25303 of 2021.

2. Notice in Form I issued by the Hon'ble High Court to the Respondents in CC No. 2187 of 2021 in WP No. 21149 of 2021.

3. Notice in Forum I issued by the Hon'ble High Court to the Respondents in CC No 934 of 2022

The inaction of Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District leading several legal complications, which shows his disobedience of the orders issued by the Hon'ble Court and higher authorities.

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Thus the Government Servant Sri Akkineni Venkateswara Rao, Executive Engineer, PRI Division, Vijayawada, NTR District failed to obey the orders of the Hon'ble Court and higher authorities and gross negligence on his legitimate duties and delayed in implementation of the Hon'ble High Court orders due to which Form-I noticesin above C.Cs have been issued by the Hon'ble High Court,leading several legal complications. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Suryakumar

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMEDAGAINST SRI AKKINENI VENKATESWARA RAO, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NTR DISTRICT ARE PROPOSED TO BE SUSTAINED:

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1. Orders of Hon'ble High Court dt:2.11.2021 in WP No. 25303 of 2021 filed by Sri Vemulu Saideswara Rao, R/o.Tothacharla, Penuganchiprolu Mandal, Krishna District.

2. Orders of High Court of A.P, dt:7.10.2021 in WP No. 21149 of 2021 filed by Sri Katta Ramulu, R/o. Ramachandrapuram, Vastavai Mandal, Krishna District.

3. Orders of High Court dt: 8.11.2021 in WP No. 25804 of 2021 filed by Sri Eluru Gopala Rao, R/o. Krishna District.

4. Notice in Form-I issued by the Hon'ble High Court to the Respondents in CC No. 931 of 2022 in WP No. 25303 of 2021.

5. Notice in Form I issued by the Hon'ble High Court to the Respondents in CC No. 2187 of 2021 in WP No. 21149 of 2021.

6. Notice in Form I issued by the Hon'ble High Court to the Respondents in CC No. 934 of 2022 in WP No. 25804 of 2021.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Surya Kumar
SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST SRI AKKINENI VENKATESWARA RAO, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NTR DISTRICT IS PROPOSED TO BE SUSTAINED :

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- NIL -

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Suryakumari
SECTION OFFICER